



\$~68

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 2579/2025**

ANURADHA & ANR.

.....Petitioners

Through: *Appearance not given.*

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Sanjay Lao, SC for State with
Mr. Priyam Agarwal, Mr. Abhinav
Kumar Arya and Mr. Aryan
Sachdeva, Advocates for State.
Mr. Amit Kain, R-2 in person.
Mr. Devraj Singh, ASI, Mr. Amit
Beriwal, SI, PS-M.S. Park.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **19.08.2025**

1. The present petition filed under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (corresponding to Section 482 of the Code of Criminal Procedure, 1973²) seeks quashing of FIR No. 395/2023 dated 29th October, 2023, registered under Sections 427, 451, 506 and 34 of the Indian Penal Code, 1860³ at P.S. Mansarovar Park, Delhi and all consequential proceedings emanating therefrom.

2. Briefly stated, the case of the prosecution against the Petitioners is

¹ "BNSS"

² "CrPC"

³ "IPC"



that a complaint was filed by one Amit Kain (the Complainant/Respondent No. 2) alleging that on 29th October, 2023, between 1:30-2:00 PM, while the cleaner was engaged in cleaning his shop situated at B-156, Nathu Colony, Shahdara, Delhi, Anuradha (Petitioner No. 1) entered the premises with the intention of forcibly taking possession. The Complainant, on reaching the spot, alleged that Anuradha abused him and threatened him with dire consequences if he did not vacate the shop. It is further alleged that in the course of the incident, the Petitioners damaged the shop furniture. Shortly thereafter, Rohit Kumar Upadhyay (Petitioner No. 2) also arrived and allegedly attempted to lock the shop in order to assert control, and when the Complainant resisted, both Petitioners abused him and continued their attempt to take over the property. Consequently, based on the Complainant's statement, the subject FIR was registered.

3. The parties state that they have amicably resolved all their disputes and differences and resultantly, have entered into a Memorandum of Understanding⁴ dated 22nd July, 2025 before the Delhi Mediation Centre, Karkardooma Courts, Delhi. As per the settlement, the parties have.

4. A copy of the MoU has been placed on record and perused by the Court. As per its terms, the Complainant has agreed to pay a total sum of INR 2,00,000/- to each of the Petitioners in equal proportion i.e., 1,00,000/- each. In return, it is agreed that, the Petitioner shall vacate the suit property and not claim any right, title and interest in the suit property from the Complainant.

5. In view of the settlement, the Complainant, who has appeared before the Court, has unequivocally stated that he does not wish to pursue the FIR



proceedings. He has confirmed that his decision to settle the matter is voluntary and made without any undue influence or coercion. In this regard, his Affidavit/No Objection Certificate is also on record.

6. The Petitioners have also appeared before the Court and, in accordance with the terms of the MoU, have handed over the keys of the premises to the Complainant, who, in turn, has handed over an amount of INR 2,00,000/-, through two demand drafts bearing nos. '588748' and '588749' dated 30th July, 2025, to the Petitioners, who also acknowledge the same. Copy of the demand drafts have been taken on record. In light of the above, the parties jointly pray for the quashing of the impugned FIR.

7. The Court has considered the submissions of the parties. It is pertinent to note that the offences under Sections 427, 451 and 506 of IPC are compoundable, at the instance of the aggrieved persons. In light of the same, having regard to the nature of the dispute and the fact that the aggrieved parties have amicably settled the matter, this Court is of the view that continuation of the criminal proceedings would serve no useful purpose. Consequently, in the present circumstances, it is fit for this Court to exercise its jurisdiction under Section 528 of BNSS, as the continuance of proceedings would amount to an abuse of the process of law and impede the ends of justice.

8. Accordingly, the present petition is allowed and FIR No. 395/2023 dated 29th October, 2023, registered under Sections 427, 451, 506 and 34 of IPC at P.S. Mansarovar Park, Delhi and all consequential proceedings emanating therefrom are hereby quashed.

9. The parties shall remain bound by the terms of settlement.

⁴ "MoU"



10. Accordingly, the petition is disposed of along with pending application(s).

SANJEEV NARULA, J

AUGUST 19, 2025

nk